

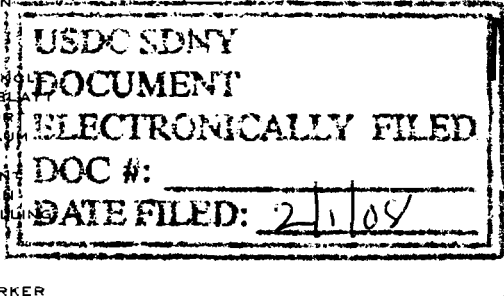
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**MEMO ENDORSED**

February 1, 2008

**BY FAX (212-805-6724)**

The Honorable Frank Maas  
United States Magistrate Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 740  
New York, NY 10007

*The conference is adjourned  
to 2/13 at 10AM.*

*Maas, USMJ,  
2/1/08*

**Re: DH Capital LLC v. Xanadoo LLC, Case No. 07-5579 (RMB) (FM)**

Dear Judge Maas:

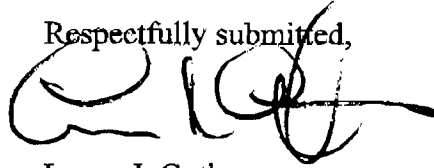
We represent plaintiff DH Capital LLC in this action, and are in receipt of the Court's endorsed order of January 31, 2008. As directed, this evening I will be sending Your Honor via Fed Ex (for Monday delivery) the Privileged Communications for *in camera* review.

I will be traveling on February 13, 2008, the date set by the Court to discuss this issue. I have discussed alternative dates with counsel for Xanadoo, and the following dates present no conflict with either side: February 15, 20, 21, 22. If any of

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these dates are convenient for the Court, I would ask, with the consent of counsel for Xanadoo, that the telephone conference be re-scheduled for one of them. No previous adjournment of this conference has been requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. Gotko', with a long horizontal flourish extending to the right.

Lance J. Gotko

cc: Christopher Huber, Esq. (by email)  
Sara B. Richman, Esq. (by email)

*Attorneys for defendant Xanadoo LLC*